

Report Date: April 13, 2016

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Apr 14, 2016**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kenneth Delano

Case Number: 0980 2:08CR00058-RHW-1

Address of Offender:

Kennewick, Washington 99336

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: October 23, 2008

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g)(1) and 924

Original Sentence: Prison 86 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Catlin A. Baunsgard

Date Supervision Commenced: May 14, 2015

Defense Attorney: Meredith B. Esser

Date Supervision Expires: May 13, 2018

PETITIONING THE COURT**To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 07/07/2015, and 08/26/2015.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

6 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Kenneth Delano is considered to be in violation of his period of supervised release by attempting to falsify a random drug test on April 11, 2016.

On April 11, 2016, the defendant attempted to use a urinalysis defeating device (fake penis) which held a urine sample which was not his. The device was collected.

7 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Prob12C

Re: Delano, Kenneth

April 12, 2016

Page 2

Supporting Evidence: Kenneth Delano is considered to be in violation of his period of supervised release by using a controlled substances, heroin and methamphetamine, on or prior to April 11, 2016.

On April 11, 2016, the defendant reported to the Richland probation office where a random urinalysis test was conducted. As noted above, the defendant initially attempted to falsify the sample. Once the device was removed from the defendant, a urine sample was collected. The defendant verbally admitted he was using heroin and methamphetamine. The initial test indicated a presumptive positive test for amphetamine and opiates. It also indicated a presumptive positive test for marijuana. The sample was forwarded to the lab for conformation.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 04/13/16

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

April 14, 2016

Date